

ORDINANCE _____

AN ORDINANCE relating to land use and zoning; amending Seattle Municipal Code Sections 23.41.012, 23.47.012, 23.48.010, 23.50.020, 23.50.026, 23.50.028, 23.54.015, 23.54.035, 23.84.032 and 23.86.006 to address the unique needs or features of biotech uses in South Lake Union, and to correct minor errors and omissions.

WHEREAS, the City Council adopted Resolution 30610 affirming the City of Seattle's commitment to making the South Lake Union area the region's most competitive location for biotech research and manufacturing, clean energy, advanced energy technology research, manufacturing and distribution, other high-tech research and manufacturing, and other innovative entrepreneurial high-tech industries; and

WHEREAS, the City Council adopted Resolution 30542 emphasizing the City's commitment to regional economic strategies, including supporting the redevelopment of the South Lake Union area for the regional expansion of the bio-medical and bio-information sectors; and

WHEREAS, the City Council finds that this ordinance should be adopted consistent with the referenced resolutions and for the reasons contained in the Director's Report on the proposed Biotech Related Amendments, August 11, 2003; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection B of Section 23.41.012 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

23.41.012 Development standard departures.

B. Departures may be granted from the following requirements:

1. Structure width and depth limits;
2. Setback requirements;
3. Modulation requirements;
4. SCM zone facade requirements, including transparency and blank facade provisions;

5. Design, location on the lot and access to parking requirements;

6. Open space or common recreation area requirements;

7. Lot coverage limits;

8. Rooftop coverage limits that apply within the South Lake Union Hub Urban

Village;

9. ~~((8-))~~ Screening and landscaping requirements;

10. ~~((9-))~~ Standards for the location and design of nonresidential uses in mixed use buildings;

11. ~~((10-))~~ Within Urban Centers, in L3 zones only, the pitched roof of a structure, as provided in Section 23.45.009 C, may incorporate additional height of up to twenty (20) percent of the maximum height permitted, as provided in Section 23.45.009 A, subject to the following limitations:

a. A pitched roof may not incorporate the additional height if the structure is on a lot abutting or across a street or alley from a single-family residential zone,

b. The proposed structure must be compatible with the general development potential anticipated within the zone,

c. The additional height must not substantially interfere with views from up-slope properties, and

d. No more than one (1) project on one (1) site within each Urban Center may incorporate additional height in the pitched roofs of its structures pursuant to this subsection unless development regulations enacted pursuant to a neighborhood planning process allow other projects to incorporate such additional height;

1 12. ((41:)) Building height within the Roosevelt Commercial Core (up to an
2 additional three (3) feet) for properties zoned NC3-65', (Exhibit 23.41.012 A, Roosevelt
3 Commercial Core);

4 13. ((42:)) Building height within the Ballard Municipal Center master plan area,
5 for properties zoned NC3-65', (Exhibit 23.41.012 B, Ballard Municipal Center Master Plan
6 Area). The additional height may not exceed nine (9) feet, and may be granted only for
7 townhouses that front a mid-block pedestrian connection or a park identified in the Ballard
8 Municipal Center Master Plan;
9

10 14. ((43:)) Reduction in required parking for ground level retail uses that abut
11 established mid-block pedestrian connections through private property as identified in the
12 "Ballard Municipal Center Master Plan Design Guidelines, 2000." The parking requirement must
13 be no less than the required parking for Pedestrian 1 designated
14 areas shown in Section 23.47.044 Chart E;
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16 15. ((44:)) Downtown or Stadium Transition Overlay District street façade
17 requirements;
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19 16. ((45:)) Downtown upper-level development standards;

20 17. ((46:)) Downtown coverage and floor size limits;

21 18. ((47:)) Downtown maximum wall dimensions;

22 19. ((48:)) Downtown street level use requirements;

23 20. ((49:)) Combined coverage of all rooftop features in downtown zones subject
24 to the limitations in Section 23.49.008 C2; and
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1 21. (~~20.~~) Certain conditions to allowance of additional height in DOC 1 and
2 DOC 2 zones pursuant to subsection 23.49.008 A 2, as follows:

3 a. Limits on gross floor area of stories under subsection 23.49.008
4 A2a(2); and

5 b. Percentages of lot area that must be occupied by open space or by
6 structures no greater than thirty-five (35) or sixty-five (65) feet in height, under subsection
7 23.49.008 A2b(1).
8

9 22. (~~21.~~) Building height in Lowrise zones, and parking standards of Section
10 23.54.015 in Midrise and Commercial zones, in order to protect existing trees as provided in
11 Chapter 25.11;
12

13 23. (~~22.~~) Downtown view corridor and Downtown Green Street requirements
14 to allow open railings on upper level roof decks or rooftop open space to project into the
15 required view corridor or Green Street setback, provided such railings are determined to have a
16 minimal impact on views and meet the requirements of the Building Code; and
17

18 24. (~~23.~~) Minor communication utility height limits in downtown zones set
19 forth in SMC Section 23.57.013 B, and telecommunication facilities development standards set
20 forth in Section 23.57.016.

21 Section 2. Subsections A, D and H of Section 23.47.012 of the Seattle Municipal Code,
22 which Section was last amended by Ordinance 121051, is amended as follows:

23 **23.47.012 Structure height and floor area ratio.**
24

25 A. Maximum Height. The maximum structure height for commercial zones shall be
26 thirty (30) feet, forty (40) feet, sixty-five (65) feet, eighty-five (85) feet, one hundred twenty-five
27
28

(125) feet, or one hundred sixty (160) feet, as designated on the Official Land Use Map, Chapter

23.32(~~(-In addition)~~), except that:

1. Within the South Lake Union Hub Urban Village, the maximum structure height in commercial zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-five (85) feet and one-hundred and five (105) feet, respectively, provided that:

a. a minimum of two (2) floors in the structure have a floor to floor height of at least fourteen (14) feet; and

b. the additional height is used to accommodate mechanical equipment;
and

c. the additional height permitted does not allow more than six (6) floors in commercial zones with a sixty-five (65) foot height limit, or more than seven (7) floors in commercial zones with an eighty-five (85) foot height limit.

2. ((m)) Mixed use structures located in commercial zones with a thirty (30) foot or forty (40) foot height limit may exceed the height limit of the zone according to the provisions of Section 23.47.008.

D. Exemptions from FAR Calculations. The following areas shall be exempted from FAR calculations:

1. All gross floor area below grade;

2. All gross floor area used for accessory parking(~~(-)~~); and

1 3. Within the South Lake Union Hub Urban Village, gross floor area occupied by
2 mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR
3 calculations. The allowance is calculated on the gross floor area of the structure after all exempt
4 space permitted under this subsection is deducted. Mechanical equipment located on the roof of
5 a structure is not calculated as part of the total gross floor area of a structure.

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7
8 H. Rooftop Features.

9 1. Smokestacks; chimneys; flagpoles; and religious symbols for religious
10 institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport
11 Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot
12 line.

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14 2. Open railings, planters, skylights, clerestories, greenhouses, parapets and
15 firewalls may extend no higher than the ridge of a pitched roof as permitted by Section
16 23.47.012F or up to four (4) feet above the maximum height limit with unlimited rooftop
17 coverage.

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19 3. Solar Collectors.

20 a. In zones with height limits of thirty (30) or forty (40) feet, solar
21 collectors may extend up to four (4) feet above the maximum height limit, with unlimited
22 rooftop coverage.

23 b. In zones with height limits of sixty-five (65) feet or more, solar
24 collectors may extend up to seven (7) feet above the maximum height limit, with unlimited
25 rooftop coverage.
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1 4. The following rooftop features may extend up to fifteen (15) feet above the
2 maximum height limit, so long as the combined total coverage of all features listed in this
3 subsection does not exceed twenty (20) percent of the roof area or twenty-five (25) percent of the
4 roof area if the total includes stair or elevator penthouses or screened mechanical equipment:

- 5 a. Solar collectors;
6 b. Stair and elevator penthouses;
7 c. Mechanical equipment;
8 d. Play equipment and open-mesh fencing which encloses it, so long as
9 the fencing is at least fifteen (15) feet from the roof edge; and
10
11 e. Minor communication utilities and accessory communication devices,
12 except that height is regulated according to the provisions of Section 23.57.012.
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14 5. Within the South Lake Union Hub Urban Village, at the applicant's option, the
15 combined total coverage of all features listed in subsection H4 may be increased to sixty-five
16 (65) percent of the roof area, provided that the following are satisfied:
17

- 18 a. All mechanical equipment is screened; and
19 b. No rooftop features are located closer than ten (10) feet to the roof
20 edge.

21 6. ((5-)) In order to protect solar access for property to the north, the applicant
22 shall either locate the rooftop features listed in this subsection at least ten (10) feet from the
23 north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of
24 such rooftop features would shade property to the north on January 21st at noon no more than
25 would a structure built to maximum permitted bulk:
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a. Solar collectors;

b. Planters;

c. Clerestories;

d. Greenhouses;

e. Minor communication utilities and accessory communication devices,

permitted according to the provisions of Section 23.57.012;

f. Nonfirewall parapets;

g. Play equipment.

7. ~~((6-))~~ Structures existing prior to May 10, 1986 may add new or replace existing mechanical equipment up to fifteen (15) feet above the roof elevation of the structure and shall comply with the noise standards of Section 23.47.018.

8. ~~((7-))~~ For height limits and exceptions for communication utilities and accessory communication devices, see Section 23.57.012.

Section 3. Section 23.48.010 of the Seattle Municipal Code, which Section was last amended by Ordinance 120928, is amended as follows:

23.48.010 General structure height.

A. Maximum Height. Maximum structure height shall be fifty-five (55) feet, seventy-five (75) feet or one hundred twenty-five (125) feet as designated on the Official Land Use Map, Chapter 23.32~~((-))~~ , except as provided in subsection B of this Section.

B. The maximum structure height may be increased from seventy-five (75) feet to eighty-five (85) feet, provided that:

1 1. a minimum of two (2) floors in the structure have a floor to floor height of at
2 least fourteen (14) feet; and
3 2. the additional height is used to accommodate mechanical equipment; and
4 3. the additional height permitted does not allow more than seven (7) floors; and
5 4. the height limit provisions of 23.48.016 A1b, Standards applicable to specific
6 areas, are satisfied.

7
8 C. ~~((B.))~~ Pitched Roofs. The ridge of pitched roofs with a minimum slope of six to
9 twelve (6:12) may extend ten (10) feet above the height limit. The ridge of pitched roofs with a
10 minimum slope of four to twelve (4:12) may extend five (5) feet above the height limit (Exhibit
11 23.48.010 A). No portion of a shed roof shall be permitted to extend beyond the height limit
12 under this provision.

13
14 ~~((C.))~~ D. Rooftop Features.

15 1. Smokestacks; chimneys; flagpoles; and religious symbols for religious
16 institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport
17 Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot
18 line.

19
20 2. Open railings, planters, skylights, clerestories, greenhouses, parapets and
21 firewalls may extend up to four (4) feet above the maximum height limit with unlimited rooftop
22 coverage.

23 3. Solar collectors may extend up to seven (7) feet above the maximum height
24 limit, with unlimited rooftop coverage.
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1 4. The following rooftop features may extend up to fifteen (15) feet above the
2 maximum height limit, so long as the combined total coverage of all features listed in this
3 subsection D4 does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent
4 of the roof area if the total includes stair or elevator penthouses or screened mechanical
5 equipment:

- 6 a. Solar collectors;
7
8 b. Stair and elevator penthouses;
9
10 c. Mechanical equipment;
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12 d. Atriums, greenhouses, and solariums;
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14 e. Play equipment and open-mesh fencing which encloses it, as long as
15 the fencing is at least fifteen (15) feet from the roof edge; and
16
17 f. Minor communication utilities and accessory communication devices,
18 except that height is regulated according to the provisions of Section 23.57.012.

19 5. At the applicant's option, the combined total coverage of all features listed in
20 subsection D4 above may be increased to sixty-five (65) percent of the roof area, provided that
21 all of the following are satisfied:

- 22 a. All mechanical equipment is screened; and
23
24 b. No rooftop features are located closer than ten (10) feet to the roof
25 edge.

26 ~~((5.))~~ 6. In order to protect solar access for property to the north, the applicant
27 shall either locate the rooftop features listed in this subsection D5 at least ten (10) feet from the
28 north edge of the roof, or provide shadow diagrams to demonstrate that the proposed location of

such rooftop features would shade property to the north on January 21st at noon no more than
would a structure built to maximum permitted bulk:

- a. Solar collectors;
- b. Planters;
- c. Clerestories;
- d. Atriums, greenhouses and solariums;
- e. Minor communication utilities and accessory communication devices

according to the provisions of Section 23.57.012;

- f. Nonfirewall parapets;
- g. Play equipment.

~~((6.))~~ 7. Screening. Rooftop mechanical equipment and elevator penthouses shall
be screened with fencing, wall enclosures, or other structures.

~~((7.))~~ 8. For height limits and exceptions for communication utilities and
accessory communication devices, see Section 23.57.012.

Section 4. Subsection A of Section 23.50.020 of the Seattle Municipal Code, which
Section was last amended by Ordinance 120928, is amended as follows:

23.50.020 All Industrial zones -- Structure height exceptions and additional restrictions.

A. Rooftop Features. Where height limits are otherwise applicable to a structure, and
except as provided in subsections C4, D4, E4 and F3 of Section 23.50.024, the following
conditions ~~((shall))~~ apply to rooftop features:

1. Smokestacks; chimneys and flagpoles and religious symbols for religious
institutions are exempt from height controls, except as regulated in Chapter 23.64, Airport

Height Overlay District, provided they are a minimum of ten (10) feet from any side or rear lot line.

2. Open railings, planters, skylights, clerestories, greenhouses, parapets and firewalls may extend four (4) feet above the maximum height limit with unlimited rooftop coverage.

3. Solar collectors may extend up to seven (7) feet above the maximum height limit, with unlimited rooftop coverage.

4. The following rooftop features may extend up to fifteen (15) feet above the maximum height limit, as long as the combined total coverage of all features listed in this subsection does not exceed twenty (20) percent of the roof area, or twenty-five (25) percent of the roof area if the total includes screened mechanical equipment:

- a. Solar collectors;
 - b. Stair and elevator penthouses;
 - c. Mechanical equipment; and
 - d. Minor communication utilities and accessory communication devices,
- except that height is regulated according to the provisions of Section 23.57.015.

5. Within the South Lake Union Hub Urban Village, at the applicant's option, the combined total coverage of all features listed in subsection A4 above may be increased to sixty-five (65) percent of the roof area, provided that all of the following are satisfied:

- a. All mechanical equipment is screened; and

b. No rooftop features are located closer than ten (10) feet to the roof edge.

Section 5. Section 23.50.026 of the Seattle Municipal Code, which Section was last amended by Ordinance 120609, is amended to add new subsection D as follows:

23.50.026 Structure height in IC zones.

D. Within the South Lake Union Hub Urban Village, the maximum structure height in IC zones with sixty-five (65) foot and eighty-five (85) foot height limits may be increased to eighty-five (85) feet and one-hundred and five (105) feet, respectively, provided that:

1. a minimum of two (2) floors in the structure have a floor to floor height of at least fourteen (14) feet; and

2. the additional height is used to accommodate mechanical equipment; and

3. the additional height permitted does not allow more than six (6) floors in IC zones with a sixty-five (65) foot height limit, or more than seven (7) floors in IC zones with an eighty-five (85) foot height limit.

Section 6. Subsection E of Section 23.50.028 of the Seattle Municipal Code, which Section was last amended by Ordinance 119370, is amended as follows:

23.50.028 Floor area ratio.

E. All Industrial Zones, Exemptions from FAR Calculations. The following areas shall be exempt from FAR calculations:

1. All gross floor area below grade;
2. All gross floor area used for accessory parking;
3. All gross floor area (~~((uses))~~) used for mechanical equipment, stair and elevator penthouses and communication equipment and antennas located on the rooftop of structures;
4. All gross floor area used for covered rooftop recreational space of a building existing as of December 31, 1998, when complying with the provisions of Section 23.50.012 D((-)); and

5. Within the South Lake Union Hub Urban Village, gross floor area occupied by mechanical equipment, up to a maximum of fifteen (15) percent, is exempt from FAR calculations. The allowance is calculated on the gross floor area of the structure after all exempt space permitted under this subsection is deducted. Mechanical equipment located on the roof of a structure is not calculated as part of the total gross floor area of a structure.

Section 7. Chart A of Section 23.54.015 of the Seattle Municipal Code, which Section was last amended by Ordinance 121196, is amended as follows:

**Chart A for Section 23.54.015
PARKING**

Use	Parking Requirements
Adult care center ¹	1 space for each 10 adults (clients) or 1 space for each staff member, whichever is greater; plus 1 loading and unloading space for each 20 adults (clients)
Adult family home	1 space for each dwelling unit
Adult motion picture theater	1 space for each 8 fixed seats or 1 space for each

		100 square feet of spectator assembly area not containing fixed seats
Adult panoram		1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Airport, land-based (waiting area)		1 space for each 100 square feet
Airport, water-based (waiting area)		1 space for each 100 square feet
Animal services		1 space for each 350 square feet
Animal husbandry (retail area only)		1 space for each 350 square feet
Aquaculture (retail area only)		1 space for each 350 square feet
Artist's studio/dwelling		1 space for each dwelling unit
Assisted living facility ²		1 space for each 4 assisted living units plus 1 space for each 2 staff members on-site at peak staffing time; plus 1 barrier-free passenger loading and unloading space; plus loading berth requirements per Section 23.54.035
Automotive parts or accessory sales		1 space for each 350 square feet
Ball courts		1 space per court
Bed and breakfast		1 space for each dwelling, plus 1 space for each 2 guest rooms or suites
Bowling alley		5 spaces for each lane
Business support services		1 space for each 2,000 square feet
Business incubators		1 space for each 1,000 square feet
Carwash		1 space for each 2,000 square feet
Caretaker's quarters		1 space for each dwelling unit
Cargo terminal		1 space for each 2,000 square feet
Cemetery		None

1	Child care center ^{1,9}	1 space for each 10 children or 1 space for each staff member, whichever is greater; plus
2		1 loading and unloading space for each 20 children
3	Colleges	A number of spaces equal 15 percent of the maximum number of students present at peak hour; plus
4		30 percent of the number of employees present at peak hour; plus
5		1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
6	Commercial laundries	1 space for each 2,000 square feet
7	Commercial moorage	1 space for each 140 lineal feet of moorage
8	Communication utilities	1 space for each 2,000 square feet
9	Community centers ^{1,2} and Community clubs ^{1,2}	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
10	Community centers owned and operated by the Seattle Department of Parks and Recreation (DOPAR) ^{1,2,3}	1 space for each 555 square feet
11	Congregate residences	1 space for each 4 residents
12	Construction services	1 space for each 2,000 square feet.
13	Custom and craft work	1 space for each 1,000 square feet
14	Dance halls (dance floor and table area)	1 space for each 100 square feet
15	Drinking establishment	1 space for each 200 square feet

1	Dry storage of boats	1 space for each 2,000 square feet
2	Family support centers located in	1 space for each 100 square feet
3	community centers owned and operated by the Seattle DOPAR ³	
4	Floating homes	1 space for each dwelling unit
5	Food processing for human	1 space for each 1,000 square feet
6	consumption	
7	Gas station	1 space for each 2,000 square feet
8	General retail sales and services	1 space for each 350 square feet
9	Ground-floor businesses in	None, maximum of 10 spaces
10	multifamily zones	
11	Heavy commercial services	1 space for each 2,000 square feet
12	Heliports (waiting area)	1 space for each 100 square feet
13	High-impact uses	1 space for each 1,500 square feet or as
14		determined by the Director
15	Horticultural uses (retail area only)	1 space for each 350 square feet
16	Hospitals ¹	1 space for each 2 staff doctors; plus 1 additional
17		space for each 5 employees; plus 1 space for
18		each 6 beds
19	Hotels	1 space for each 4 sleeping rooms or suites
20	Institute for advanced study ¹	1 space for each 1,000 square feet of
21		administrative offices and similar spaces; plus
22		1 space for each 10 fixed seats in all auditoria
23		and public assembly rooms; or
24		1 space for each 100 square feet of public
25		assembly area not containing fixed seats
26	Institutes for advanced study in	3.5 spaces for each 1,000 square feet of office
27	single-family zones (existing)	space; plus
28		10 spaces for each 1,000 square feet of
		additional building footprint to house and
		support conference center activities; or
		37 spaces for each 1,000 square feet of actual

	conference rooms to be constructed, whichever is greater
Kennel	1 space for each 2,000 square feet
Lecture and meeting hall	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
Library ¹⁰	1 space for each 80 square feet of floor area of all auditoria and public meeting rooms; plus 1 space for each 500 square feet of floor area, excluding auditoria and public meeting rooms
Live-work unit	1 space for each unit; plus the number of spaces required for the nonresidential portion for live-work units greater than 2,500 square feet, based on the most similar nonresidential use
Major durables, sales, service, and rental	1 space for each 2,000 square feet
Manufacturing, general	1 space for each 1,500 square feet
Manufacturing, heavy	1 space for each 1,500 square feet
Manufacturing, light	1 space for each 1,500 square feet
Marine service station	1 space for each 2,000 square feet
Medical services	1 space for each 350 square feet
Miniature golf	1 space for each 2 holes
Mini-warehouse	1 space for each 30 storage units
Mobile home park	1 space for each mobile home
Mortuary services	1 space for each 350 square feet
Motels	1 space for each sleeping room or suite
Motion picture studio	1 space for each 1,500 square feet
Motion picture theater	1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not

Multifamily uses⁴ except as
otherwise provided below¹³

containing fixed seats

Development sites containing 2—10 dwelling
units:

1.1 spaces for each dwelling unit

Development sites containing 11—30 dwelling
units:

1.15 spaces for each dwelling unit

Development sites containing 31—60 dwelling
units:

1.2 spaces for each dwelling unit

Development sites containing more than 60
dwelling units:

1.25 spaces for each dwelling unit

In addition, for all multifamily uses whose
average gross floor area per dwelling unit,
excluding decks and all portions of a structure
shared by multiple dwelling units, exceeds 500
square feet, an additional .0002 spaces per
square foot in excess of 500 shall be required up
to a maximum additional .15 spaces per dwelling
unit; and

When at least 50 percent of the dwelling units in
a multifamily use have 3 bedrooms, an
additional .25 spaces per bedroom for each unit
with 3 bedrooms shall be required; and

Any multifamily use that contains a dwelling
unit with 4 or more bedrooms shall be required
to provide an additional .25 spaces per bedroom
for each unit with 4 or more bedrooms⁵

Multifamily uses containing
dwelling units with 2 or more
bedrooms, when within the area
impacted by the University of
Washington as shown on Map A
following this section, unless
another provision below allows
fewer parking spaces

1.5 spaces per unit with 2 or more bedrooms.
The requirement for units with 3 or more
bedrooms contained above shall also apply. All
other requirements for units with fewer than 2
bedrooms shall be as contained above⁵

Multifamily uses, when within the
Alki area as shown on Map B

1.5 spaces for each dwelling unit

following this section, unless
another provision below allows
fewer parking spaces

Multifamily uses, for development
sites that contain a total of 10 or
fewer dwelling units, all in ground-
related structures

1 space for each dwelling unit

Multifamily uses, when located in
Center City neighborhoods¹², for
each dwelling unit rented to and
occupied by a household with an
income at time of its initial
occupancy at or below 30 percent of
the median family income, adjusted
for household size, for the Seattle-
Bellevue-Everett Primary
Metropolitan Statistical Area, as
defined by the United States
Department of Housing and Urban
Development (HUD)¹⁴, for the life
of the building

0.33 space for each dwelling unit with 2 or fewer
bedrooms, and 0.5 space for each dwelling unit
with 3 or more bedrooms

Multifamily uses, when located in
Center City neighborhoods¹², for
each dwelling unit rented to and
occupied by a household with an
income at time of its initial
occupancy of between 30 and 50
percent of the median family
income, adjusted for household size,
for the Seattle-Bellevue-Everett
Primary Metropolitan Statistical
Area, as defined by HUD¹⁴, for the
life of the building

0.5 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

Multifamily uses, when located
outside of Center City
neighborhoods¹², for each dwelling
unit rented to and occupied by a
household with an income at time of
its initial occupancy at or below 30
percent of the median family

0.33 space for each dwelling unit with 2 or fewer
bedrooms, and 1 space for each dwelling unit
with 3 or more bedrooms

income, adjusted for household size,
 for the Seattle-Bellevue-Everett
 Primary Metropolitan Statistical
 Area, as defined by HUD¹⁴, for the
 life of the building

Multifamily uses, when located 0.75 spaces for each dwelling unit
 outside of Center City
 neighborhoods¹², for each dwelling
 unit with 2 or fewer bedrooms
 rented to and occupied by a
 household with an income at time of
 its initial occupancy of between 30
 and 50 percent of the median family
 income, adjusted for household size,
 for the Seattle-Bellevue-Everett
 Primary Metropolitan Statistical
 Area, as defined by HUD¹⁴, for the
 life of the building

Multifamily uses occupied by low- 1 space for each 6 dwelling units
 income elderly households

Multifamily uses occupied by low- 1 space for each 4 dwelling units
 income disabled households

Multifamily uses occupied by low- 1 space for each 5 dwelling units
 income elderly/low-income disabled
 households

Multifamily uses, when within the 1 space for each dwelling unit
 Seattle Cascade Mixed zone or the
 Pike/Pine Overlay District

Multifamily uses, when within the 1 space for every 2 dwelling units
 Pike/Pine Overlay District, for each
 dwelling unit rented to and occupied
 by a household with an income at
 time of its initial occupancy at or
 below 60 percent of the median
 family income, adjusted for
 household size, for the Seattle-
 Bellevue-Everett Primary
 Metropolitan Statistical Area, as

defined by HUD, at rent not exceeding 30 percent of 60 percent of median family income, adjusted for household size, for the life of the building

Multipurpose convenience store 1 space for each 350 square feet

Museum¹ 1 space for each 80 square feet of all auditoria and public assembly rooms, not containing fixed seats; or 1 space for every 10 fixed seats for floor area containing fixed seats; plus 1 space for each 250 square feet of other gross floor area open to the public

Nonhousehold sales and services, except sales, service and rental of office equipment 1 space for each 2,000 square feet

Nursing homes⁶ 1 space for each 2 staff doctors; plus 1 additional space for each 3 employees; plus 1 space for each 6 beds

Office, administrative 1 space for each 1,000 square feet

Office, customer service 1 space for each 350 square feet

Outdoor storage 1 space for each 2,000 square feet

Parks None

Participant sports and recreation, indoor_or outdoor, unless otherwise specified 1 space for each 350 square feet

Passenger terminals (waiting area) 1 space for each 100 square feet

Performing arts theater 1 space for each 8 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats

Personal transportation services 1 space for each 2,000 square feet

Playgrounds None

Power plants	1 space for each 2,000 square feet
Private club ¹	1 space for each 80 square feet of floor area of all auditoria and public assembly rooms not containing fixed seats; or 1 space for every 8 fixed seats for floor area containing fixed seats; or if no auditorium or assembly room, 1 space for each 350 square feet, excluding ball courts
Railroad rights-of-way	None
Railroad switchyard with or without mechanized hump	1 space for each 2,000 square feet
Recreational marinas	1 space for each 75 lineal feet of moorage
Recycling center	1 space for each 2,000 square feet
Recycling collection station	None
Religious facility ¹	1 space for each 80 square feet of all auditoria and public assembly rooms
Research and development laboratory	1 space for each 1,000 square feet
<u>Research and development laboratory located within the South Lake Union Hub Urban Village</u>	<u>1 space for each 1,500 square feet</u>
Restaurant	1 space for each 200 square feet
Sale and rental of large boats	1 space for each 2,000 square feet
Sale and rental of motorized vehicles	1 space for each 2,000 square feet
Sale of boat parts and accessories	1 space for each 350 square feet
Sale of heating fuel	1 space for each 2,000 square feet
Sales, service and rental of commercial equipment	1 space for each 2,000 square feet

1	Sales, service and rental of office equipment	1 space for each 350 square feet
2	Salvage yard	1 space for each 2,000 square feet
3	School, private elementary and secondary ^{1,2}	1 space for each 80 square feet of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member
4		
5	School, public elementary and secondary ^{1,2,7}	1 space for each 80 square feet of all auditoria or public assembly rooms, or 1 space for every 8 fixed seats in auditoria or public assembly rooms, containing fixed seats, for new public schools on a new or existing public school site
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9	Sewage treatment plant	1 space for each 2,000 square feet
10	Single-family dwelling units	1 space for each dwelling unit
11	Skating rink (rink area)	1 space for each 100 square feet
12	Solid waste transfer station	1 space for each 2,000 square feet
13	Specialty food stores	1 space for each 350 square feet
14	Spectator sports facility ¹¹	1 space for each 10 fixed seats or 1 space for each 100 square feet of spectator assembly area not containing fixed seats
15		
16	Sport range	1 space for each 2 stations
17	Swimming pool (water area)	1 space for each 150 square feet
18	Transit vehicle base	1 space for each 2,000 square feet
19	Universities ⁸	A number of spaces equal to 15 percent of the maximum number of students present at peak hour; plus 30 percent of the number of employees present at peak hour; plus 1 space for each 100 square feet of spectator assembly area in outdoor spectator sports facilities
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24	Utility service uses	1 space for each 2,000 square feet
25	Vehicle and vessel repair	1 space for each 2,000 square feet
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Vocational or fine arts school	1 space for each 2 faculty plus full-time employees; plus 1 space for each 5 students (based on the maximum number of students in attendance at any one time)
Warehouse	1 space for each 1,500 square feet
Wholesale showroom	1 space for each 1,500 square feet
Work-release centers	1 space for each 2 full-time staff members; plus 1 space for each 5 residents; plus 1 space for each vehicle operated in connection with the work-release center

¹ When permitted in single-family zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.44.022; when permitted in multifamily zones as a conditional use, the Director may modify the parking requirements pursuant to Section 23.45.122. The Director, in consultation with the Director of the Seattle Department of Transportation, may allow adult care and childcare centers locating in existing structures to provide loading and unloading spaces on-street when no other alternative exists.

² Indoor gymnasiums shall not be considered ball courts, nor shall they be considered auditoria or public assembly rooms unless they contain bleachers (fixed seats). If the gymnasium contains bleachers, the parking requirement for the entire gymnasium shall be one (1) parking space for every eight (8) fixed seats. Each twenty (20) inches of width of bleachers shall be counted as one (1) fixed seat for the purposes of determining parking requirements. If the gymnasium does not contain bleachers and is in a school, there is no parking requirement for the gymnasium. If the gymnasium does not contain bleachers and is in a community center, the parking requirement shall be one (1) space for each three hundred fifty (350) square feet. If the gymnasium does not contain bleachers and is in a community center owned and operated by the Department of Parks and Recreation (DOPAR), the parking requirement shall be one (1) space for each five hundred fifty-five (555) square feet.

³ When family support centers are located within community centers owned and operated by DOPAR, the Director may lower the combined parking requirement by up to a maximum of fifteen (15) percent, pursuant to Section 23.54.020 I.

⁴ Parking spaces required for multifamily uses may be provided as tandem spaces according to subsection B of Section 23.54.020.

⁵ Bedroom—Any habitable room as defined by the Building Code that, in the determination of the Director, is capable of being used as a bedroom.

⁶When specified in single-family zones, Section 23.44.015, the Director may waive some or all of the parking requirements.

⁷For public schools, when an auditorium or other place of assembly is demolished and a new one built in its place, parking requirements shall be determined based on the new construction. When an existing public school on an existing public school site is remodeled, additional parking is required if any auditorium or other place of assembly is expanded or additional fixed seats are added. Additional parking is required as shown on Chart A for the increase in floor area or increase in number of seats only. If the parking requirement for the increased area or seating is ten (10) percent or less than that for the existing auditorium or other place of assembly, then no additional parking shall be required.

⁸ Development standards departure may be granted or required pursuant to the procedures and criteria set forth in Chapter 23.79 to reduce the required or permitted number of parking spaces.

⁹ A child care facility, when co-located with an assisted living facility, may count the passenger load/unload space required for the assisted living facility toward its required passenger load/unload spaces.

¹¹ Required parking for spectator sports facilities or exhibition halls must be available when the facility or exhibition hall is in use. A facility shall be considered to be "in use" during the period beginning three (3) hours before an event is scheduled to begin and ending one (1) hour after a scheduled event is expected to end. For sports events of variable or uncertain duration, the expected event length shall be the average length of the events of the same type for which the most recent data are available, provided it is within the past five (5) years. During an inaugural season, or for nonrecurring events, the best available good faith estimate of event duration will be used. A facility will not be deemed to be "in use" by virtue of the fact that administrative or maintenance personnel are present. The Director may reduce the required parking for any event when projected attendance for a spectator sports facility is certified to be fifty (50) percent or less of the facility's seating capacity, to an amount not less than that required for the certified projected attendance, at the rate of one (1) space for each ten (10) fixed seats of certified projected attendance. An application for reduction and the certification shall be submitted to the Director at least fifteen (15) days prior to the event. When the event is one of a series of similar events, such certification may be submitted for the entire series fifteen (15) days prior to the first event in the series. If the Director finds that a certification of projected attendance of fifty (50) percent or less of the seating capacity is based on satisfactory evidence such as past attendance at similar events or advance ticket sales, the Director shall, within fifteen (15) days of such submittal, notify the facility operator that a reduced parking requirement has been approved, with any conditions deemed appropriate by the Director to ensure adequacy of parking if expected attendance should change. The parking requirement reduction may be applied for only if the goals of the facility's Transportation Management Plan are otherwise

1 being met. The Director may revoke or modify a parking requirement reduction
2 approval during a series, if projected attendance is exceeded.

3 ¹² For purposes of this section, Center City neighborhoods are the following urban
4 villages: Uptown Queen Anne, South Lake Union, Capitol Hill, Pike/Pine, First Hill and
5 12th Avenue, as shown in the City of Seattle Comprehensive Plan.

6 ¹³ These general requirements for multifamily uses are superseded to the extent that a
7 use, structure or development qualifies for either a greater or a lesser parking
8 requirement under any provision below. To the extent that more than one of the
9 provisions below applies to a multifamily use, the least of the applicable parking
10 requirements applies. The different parking requirements for certain multifamily uses
11 listed below shall not be construed to create separate uses for purposes of any
12 requirements related to establishing or changing a use under this title.

13 ¹⁴ Notice of Income Restrictions. Prior to issuance of any permit to establish, construct
14 or modify any use or structure, or to reduce any parking accessory to a multifamily use
15 or structure, if the applicant relies upon these reduced parking requirements, the
16 applicant shall record in the King County Office of Records and Elections a declaration
17 signed and acknowledged by the owner(s), in a form prescribed by the Director, which
18 shall identify the subject property by legal description, and shall acknowledge and
19 provide notice to any prospective purchasers that specific income limits are a condition
20 for maintaining the reduced parking requirement.

21 Section 8. Subsection B of Section 23.54.035 of the Seattle Municipal Code, which
22 Section was last amended by Ordinance 119238, is amended as follows:

23 **23.54.035 Loading berth requirements and space standards.**

24 ***

25 B. Exception to Loading Requirements.

26 1. For uses with less than sixteen thousand (16,000) square feet of gross floor
27 area which provide a loading space on a street or alley, the loading berth requirements may be
28 waived by the Director following a review by the Seattle Transportation Department, which
finds that the street or alley berth is adequate.

2. Within the South Lake Union Hub Urban Village and when multiple buildings share a central loading facility, loading berth requirements may be waived or modified if the Director finds, in consultation with the Seattle Transportation Department, the following:

a. all loading is proposed to occur on-site; or

b. loading that is proposed to occur in a public right-of-way can take place without disrupting pedestrian circulation or vehicular traffic; and

c. once located at a central loading facility, goods can be distributed to other buildings on-site without disrupting pedestrian circulation or vehicular traffic.

Section 9. Section 23.84.032 of the Seattle Municipal Code, which Section was last amended by Ordinance 120117, is amended as follows:

23.84.032 Definitions -- R.

"Research and development laboratory" means a ~~((commercial))~~ use in which research and experiments leading to the development of new products or intellectual property are conducted. This use may be associated with an institutional, clinical or commercial use.

Section 10. Section 23.86.006 of the Seattle Municipal Code, which Section was last amended by Ordinance 112971, is amended as follows:

23.86.006 Structure Height.

A. Height Measurement Technique in All Zones Except Downtown Zones and Within the South Lake Union Hub Urban Village.

1. The height shall be measured at the exterior walls of the structure.

Measurement shall be taken at each exterior wall from the existing or finished grade, whichever is lower, up to a plane essentially parallel to the existing or finished grade. For determining structure height, the exterior wall shall include a plane between supporting members and between the roof and the ground. The vertical distance between the existing grade, or finished grade, if lower, and the parallel plane above it shall not exceed the maximum height of the zone.

2. When finished grade is lower than existing grade, in order for an upper portion of an exterior wall to avoid being considered on the same vertical plane as a lower portion, it must be set back from the lower portion a distance equal to two (2) times the difference between existing and finished grade on the lower portion of the wall (Exhibit 23.86.006 A1).

3. Depressions such as window wells, stairwells for exits required by other codes, "barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in determining structure height when in combination they comprise less than fifty percent (50%) of the facade on which they are located. In such cases, the grade for height measurement purposes shall be a line between the grade on either side of the depression.

4. No part of the structure, other than those specifically exempted or excepted under the provisions of the zone, shall extend beyond the plane of the maximum height limit.

5. Underground portions of structures are not included in height calculations. The

height of structures shall be calculated from the point at which the sides meet the surface of the ground.

B. Within the South Lake Union Hub Urban Village, structure height shall be measured for all portions of the structure. All measurements shall be taken vertically from existing or finished grade, whichever is lower, to the highest point of the structure located directly above each point of measurement.

Existing or finished grade shall be established by drawing straight lines between the corresponding elevations at the perimeter of the structure. The straight lines will be existing or finished grade for the purpose of height measurement. When a contour line crosses a facade more than once, that contour line will be disregarded when establishing existing or finished grade.

~~((B-))~~C. Height Averaging for Single-family Zones. In a single family zone, the average elevation of the nearest single family structures on either side of a lot may be, at the applicant's option, used to establish the height limit of the principal structure on that lot, according to the following provisions:

1. Each structure used for averaging shall be on the same block front as the lot for which a height limit is being established. The structures used shall be the nearest single family structure on each side of the lot, and shall be within one hundred feet (100') of the side lot lines of the lot.

2. The height limit for the lot shall be established by averaging the elevations of the structures on either side in the following manner:

1 a. If the nearest structure on either side has a roof with at least a three-in-
2 twelve (3:12) pitch, the elevation to be used for averaging shall be the highest point of that
3 structure's roof minus five feet (5').

4 b. If the nearest structure on either side has a flat roof, or a roof with a
5 pitch of less than three-in-twelve (3:12), the elevation of the highest point of the structure's roof
6 shall be used for averaging.

7 c. Rooftop features which are otherwise exempt from height limitations,
8 Height Exceptions, Section 23.44.012 C, shall not be included in elevation calculations.

9 d. The two (2) elevations obtained from steps 2a and/or 2b shall be
10 averaged to derive the height limit for the lot. This height limit shall be the difference in
11 elevation between the midpoint of a line parallel to the front lot line at the required front setback
12 and the average elevation derived from 2a and/or 2b.

13 e. The height measurement technique used for the lot shall then be the
14 City's standard measurement technique, Section 23.86.006 A.

15 3. When there is no single-family structure within one hundred feet (100') on a
16 side of the lot, or when the nearest single family structure within one hundred feet (100') on a
17 side of the lot is not on the same block front, the elevation used for averaging on that side shall
18 be thirty feet (30') plus the elevation of the midpoint of the front lot line of the abutting vacant
19 lot.

20 4. When the lot is a corner lot, the height limit may be the highest elevation of
21 the nearest structure on the same block front, provided that the structure is within one hundred
22 feet (100') of the side lot line of the lot and that both front yards face the same street.

1 5. In no case shall the height limit established according to these height
2 averaging provisions be greater than forty feet (40').

3 6. Lots using height averaging to establish a height limit shall be eligible for the
4 pitched roof provisions of Section 23.44.012 B.

5 ~~((C.))~~D. Additional Height on Sloped Lots.

6
7 1. In certain zones, additional height shall be permitted on sloped lots at the rate
8 of one foot (1') for each six percent (6%) of slope. For the purpose of this provision, the slope
9 shall be measured from the exterior wall with the greatest average elevation at existing grade, to
10 the exterior wall with the lowest average elevation at existing grade. The slope shall be the
11 difference between the existing grade average elevations of the two (2) walls, expressed as a
12 percentage of the horizontal distance between the two (2) walls.

13
14 2. This additional height shall be permitted on any wall of the structure, provided
15 that on the uphill side(s) of the structure, the height of the wall(s) shall be no greater than the
16 height limit of the zone (Exhibit 23.86.006 A2).

17
18 3. Structures on sloped lots shall also be eligible for the pitched roof provisions
19 applicable in the zone.

20 ~~((D.))~~E. Height Measurement Techniques in Downtown Zones.

21 1. Determine the major street property line, which shall be the lot's longest street
22 property line. When the lot has two (2) or more street lot lines of equal length, the applicant shall
23 choose the major street property line.

24 2. Determine the slope of the lot along the entire length of the major street
25 property line.
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3. The maximum height shall be measured as follows:

a. When the slope of the major street property line is less than or equal to seven and one-half percent (7-1/2%), the elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of the major street property line. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line as depicted in Exhibit 23.86.006 B.

b. When the slope of the major street property line exceeds seven and one-half percent (7-1/2%), the major street property line shall be divided into four (4) or fewer equal segments no longer than one hundred twenty feet (120') in length. The elevation of maximum height shall be determined by adding the maximum permitted height to the existing grade elevation at the midpoint of each segment. On a through lot, the elevation of maximum height shall apply only to the half of the lot nearest the major street property line. On the other half of a through lot, the elevation of maximum height shall be determined by the above method using the street lot line opposite and parallel to the major street property line, as depicted in Exhibit 23.86.006 C.

c. For lots with more than one (1) street frontage, where there is no street property line which is essentially parallel to the major street property line, when a measurement has been made for the portion of the block containing the major street property line, the next measurement shall be taken from the longest remaining street lot line.

1 4. No parts of the structure, other than those specifically exempted or excepted
2 under the provisions of the zone, shall extend beyond the elevation of maximum height.

3 5. Underground portions of structures are not included in height calculations. The
4 height of structures shall be calculated from the point at which the sides meet the surface of the
5 ground.
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8 ~~((E.))~~E. Determining the Height of Existing Public School Structures. When the height
9 of the existing public school structure must be measured for purposes of determining the
10 permitted height or lot coverage of a public school structure, either one of the following options
11 may be used:
12

13 1. If all parts of the new roof are pitched at a rate of not less than three to twelve
14 (3:12), the ridge of the new roof may extend to the highest point of the existing roof. A shed roof
15 does not qualify for this option.
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2. If all parts of the new roof are not pitched at a rate of not less than three to twelve (3:12), then the elevation of the new construction may extend to the average height of the existing structure. The average height shall be determined by measuring the area of each portion of the building at each height and averaging those areas, as depicted in Exhibit 23.86.006 D.

Section 11. The provisions of this ordinance are declared to be separate and severable. The invalidity of any particular provision shall not affect the validity of any other provision.

Section 12. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2003, and signed by me in open session in authentication of its passage this ____ day of _____, 2003.

President _____ of the City Council

Approved by me this ____ day of _____, 2003.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2003.

City Clerk

(Seal)